

LAW OFFICES

EDWARD R. THEOBALD

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December 13, 2016

TELEPHONE (312) 346-9246

Larry Rappoport
Stevens & Lee, P.C.
1818 Market Street, 29th Floor
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Via FedEx

Re: Janice Keen v. Teva Sales and Marketing Inc., et. al., 14 C 9626 & 16 C 9964

Dear Larry:

Your office called yesterday and today for the first time to schedule a Local Rule 37.1 conference regarding the subpoena Plaintiff served on Teva and you on November 16, 2016 and then also served on Scott Insurance on November 17, 2016. Unfortunately, Teva chose to file a motion to quash our subpoena on December 8, 2016 without complying with the provisions of Rule 37 of the Fed.R.Civ.P. requiring you to confer with us.

As I indicated last Friday, December 9, 2016, please promptly withdraw your motion to quash our subpoena as no Rule 37 conference was conducted prior to you filing the motion. Then we will agree to conduct a Rule 37 conference on any specific objections of Teva to our subpoena which seeks documents from Scott Insurance.

Although not even serving us with your motion to quash, the motion is based upon very general terms and irrelevant decisions regarding the insured-insurer relationship, which is not applicable. I am not aware of Scott Insurance insuring Teva for any liability claims.

If we cannot resolve your yet to be served objection to our subpoena to Scott Insurance, any additional or subsequent motion to quash should be filed and presented to Chief Judge Ruben Castillo of the Northern District of Illinois, Eastern Division in the case of Janice Keen v. Teva Sales and Marketing Inc., et. al., 14 C 9626 & 16 C 9964.

Very truly yours,



EDWARD R. THEOBALD

ERT/sb

cc: Jennifer Ermilio
Augustus C. Epps, Jr.
Doug Palais/Sean Golden

EXHIBIT
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